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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,214	02/01/2002	Kevin A. Himmel	11612.02	1925

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EXAMINER

HARRIS, CHANDA L

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/062,214

Applicant(s)

HIMMEL ET AL.

Examiner

Chanda L. Harris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 11-19 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-19 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

In response to the Amendment filed on 6/16/04, Claims 1-8, 11-19, and 22 are pending.

Claims 9-10 and 20-21 are cancelled.

Specification

1. The use of the trademarks NETSCAPE NAVIGATOR, MICROSOFT INTERNET EXPLORER, INTEL, and MICROSOFT SQL SERVER have been noted in this application. Applicant is required to review the specification for any other instances of trademarks and make the appropriate corrections. They should be capitalized wherever they appear and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

2. The disclosure is objected to because of the following informalities: The status of application nos. 09/384,458 and 09/630,161 needs to be updated on the first page of the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 8, 11-15, 19, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao in view of Mortimer (US 6,091,930) and Strub et al. (US 6,652,287).

1. [Claims 1,11-12,22]: Regarding Claims 1,11-12,12, and 22, Joao discloses providing on-line content concerning educational materials for particular courses offered by academic providers. See p.1, [0009]. Joao discloses providing an on-line electronic syllabus for the educational course, the syllabus identifying units (i.e. course materials), assignments (i.e. course materials), and educational materials (i.e. course materials) for the educational course. See p.6, [0064] and p.20, [0224]. Identifying a particular user enrolled in at least one of the educational courses would be an inherent feature of Joao's invention. Joao discloses electronically recording activity by the user relating to the user's enrollment in the educational courses for the duration of the user's enrollment. See p.3, [0030].

Joao does not disclose expressly receiving from a subscribing user a request for a subscription to the user's activity including selectively receiving requests for a subscription to a library and a subscription to a particular type of content within the

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library, the library representing a compilation of the user's activity, the activity including multiple types of content relating to the user's enrollment in the educational courses and transmitting to the user an indication of the request for the subscription. However, Mortimer discloses receiving from a subscribing user a request for a subscription to the user's activity (i.e., Upon a subsequent presentation of this page, the student notes are automatically retrieved and presented along with the page) including selectively receiving requests for a subscription to a library (i.e., outline) and a subscription to a particular type of content (i.e., inserted and highlighted notes) within the library, the library representing a compilation of the user's activity, the activity including multiple types of content (i.e., inserted and highlighted notes) relating to the user's enrollment in the educational courses and transmitting to the user an indication of the request for the subscription (e.g., the students notes automatically retrieved and presented along with the page, a "notes file"). See Col.17: 60-62 and Col.17: 64-Col.18: 3. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Joao, in light of the teaching of Mortimer, in order to enable a student to receive or retrieve personalized materials.

Joao/Mortimer does not disclose expressly verifying permission of the requested subscription, including verifying the requests for the subscription to the library and the subscription to the particular type of content in the library; selectively granting the subscriptions based upon the verifying step, including selectively granting the subscription to the library and the subscription to the particular type of content in the

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library; and transmitting an indication of the user's activity to the subscribing user according to the subscription to the library and the subscription to the particular type of content in the library, if at least one of the subscriptions is granted. However, Strub teaches the concept of verifying and granting requests to particular types of information and transmitting particular types of information (i.e., information and functionality access mechanisms appropriate to that particular user) pending granted access. See Col.7: 15-Col.8: 2. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Joao/Mortimer, in light of the teaching of Strub, in order to regulate access to particular types of information by a particular user.

2. [Claims 2, 13]: Regarding Claims 2 and 13, Joao discloses wherein the recording step includes recording an identification of courses enrolled in by the user and content entered by the user relating to assignments for the enrolled course. See p.18, [0202].

3. [Claims 3, 14]: Regarding Claims 3 and 14, Joao discloses wherein the recording step includes recording an indication of grades (e.g. final grade) given to the user for the enrolled courses. See p.20, [0227].

4. [Claims 4, 15]: Regarding Claims 4 and 15, Joao discloses wherein the recording step includes recording an indication of on-line searches performed by the user (i.e. downloading and/or printing out any desired information obtained from and/or during these searches). See p.19, [0210].

5. [Claims 8, 19]: Regarding Claims 8 and 19, Joao discloses including specifying permissions (e.g. via a third party) for access to the recorded activity. See p.4, [0040].

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Claims 5-6 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao/Mortimer/Strub as applied to claims 4 and 15 above, and further in view of Keith, Jr. (US 2002/0004793).

[Claims 5-6, 16-17]: Regarding Claims 5-6 and 16-17, Joao/Mortimer/Strub does not disclose expressly wherein the recording step includes recording for each of the searches an indication of a search query (i.e. parameters) and an indication of corresponding search results and permitting the user to access the recorded indications of the on-line searches. However, Keith teaches such in p.11, [0092]. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitation into the method and system of Joao/Mortimer/Strub, in light of the teaching of Keith, in order to enable a user to record information on topics of their choice.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Joao/Mortimer/Strub/Keith as applied to claim 5 above, and further in view of Nashed (US 6,654,749).

[Claims 7]: Regarding Claim 7, Joao/Mortimer/Strub/Keith does not disclose expressly wherein the recording step includes specifying a network address (i.e. clicking on the titles of one or more of the web page hits) of content as the indication of the corresponding search results. However, Nashed teaches such in Col.7: 26-29. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitation into the method and system

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of Joao/Mortimer/Strub/Keith, in light of the teaching of Nashed, in order to retrieve the body of a web page.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Joao/Mortimer/Strub as applied to Claim 15 above, and further in view of Nashed.

[Claim 18]: Regarding Claim 18, Joao/Mortimer/Strub does not disclose expressly wherein the recording step includes specifying a network address (i.e. clicking on the titles of one or more of the web page hits) of content as the indication of the corresponding search results. However, Nashed teaches such in Col.7: 26-29. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitation into the method and system of Joao/Mortimer/Strub, in light of the teaching of Nashed, in order to retrieve the body of a web page.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Reynolds (US 2002/0146676)
 - electronic bulletin board
- Kashima (US 6,711,378)
 - log-in control, electronic bulletin board

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection. See rejection above. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

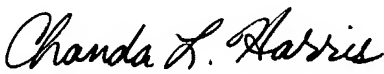
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 703-308-8358. The examiner can normally be reached on M-F 6:30am-4:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Chanda L. Harris
Examiner
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